

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:04CR65-V

UNITED STATES OF AMERICA,)
)
 Respondent,)
)
 vs.)
)
 MATTHEW JOHNSON)
)
 Petitioner.)
 _____)

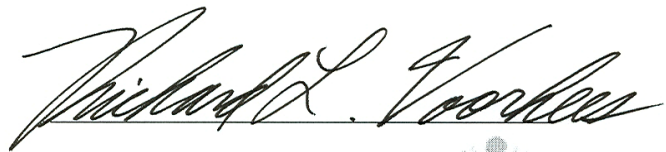
ORDER

THIS MATTER is before the Court upon the Petitioner's Motion to Reconsider and Motion to Proceed In Forma Pauperis, filed 17 November 2006.

An appeal to the Fourth Circuit requires a filing and docketing fee of \$455.00. Fed.R. App. Pro. 3(c). The Clerk for the Fourth Circuit directed Petitioner to file a CJA 23 Affidavit with the district court if Petitioner was unable to pay the filing fee. After reviewing the CJA 23 Financial Affidavit in support of the application to proceed In Forma Pauperis, and the Motion to Reconsider the Court concludes that the Petitioner is unable to pay the filing fee.

IT IS, THEREFORE, ORDERED that Petitioner's Motion to Proceed In Forma Pauperis is **GRANTED**.

Signed: November 20, 2006



Richard L. Voorhees
United States District Judge

